

AUG 26 2016

JULIA C. DUDLEY, CLERK
BY: *S. J. C.*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

MICHAEL FORMICA,)
Plaintiff,) Case No. 7:14CV00449
v.)
F. G. AYLOR, ET AL.,) FINAL ORDER
Defendant(s).)
By: Hon. Glen E. Conrad
Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. The report and recommendation (ECF No. 63) is **ADOPTED IN PART AND REJECTED IN PART**;
2. Plaintiff's motion to preserve objections (ECF No. 73) is **GRANTED**, but plaintiff's objections are **OVERRULED**; his pending motions for appointment of counsel (ECF Nos. 65 and 66) are **DENIED**; and his motion for disposition is **DISMISSED** as moot;
3. Defendants' motion for summary judgment (ECF No. 52) is **GRANTED** as to all remaining claims; and
4. The clerk shall **STRIKE** this case from the active docket of the court.

The Clerk is directed to send a copy of this order to the plaintiff and to counsel of record for the defendants.

ENTER: This 26th day of August, 2016.

Glen Conrad

Chief United States District Judge